

FILED
-DECEMBER 6, 1983

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

In the Matter of)
)
) Administrative Action
JOHN SANDOZ, D.C.)
) CONSENT ORDER
)

This matter coming before the Board of Medical Examiners by
the consent of the parties,

IT IS HEREBY STIPULATED AND AGREED by and between the parties
as follows:

1. John Sandoz, D.C. is licensed to practice chiropractic in
the State of New Jersey, license number 1987.
2. Dr. Sandoz is aware of his right to notice of charges
against him, the right to a hearing on the charges and allegations
to make a defense to any or all charges, the right to confront
and cross-examine witnesses who would testify against him, and
the right to appeal any decision against him to the Appellate
Division of Superior Court.
3. Dr. Sandoz freely and voluntarily waives his right to
such notice, hearing or appeal and any other rights to which he
is entitled under the laws of the State of New Jersey.
4. Dr. Sandoz admits the following:

original

(a) Dr. Sandoz distributed through a general mailing 12,000 copies of a 4-page brochure advertising his practice. A copy of the brochure is attached hereto as Exhibit 1.

(b) The brochure contains numerous incorrect statements and exaggerations which tend to mislead and deceive readers about the necessity, scope and effect of chiropractice and about Dr. Sandoz' qualifications.

5. Distribution of the said brochure constitutes the use of deception and misrepresentation within the meaning of N.J.S.A. 45:1-21(b) and therefore constitutes grounds for disciplinary action against Dr. Sandoz by the Board.

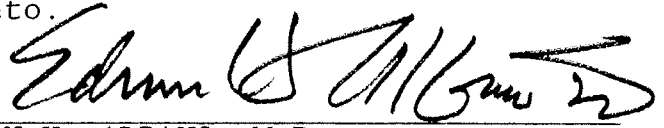
Therefore, it is on this 23 day of November, 1983,
ORDERED that:

1. John Sandoz, D.C. shall be and hereby is reprimanded.

2. Dr. Sandoz shall pay a penalty of \$2,500. Such penalty shall be paid in three installments, the first installment of \$834 being due no later than two calendar months after the date of this Order and each subsequent installment of \$833 being due every two calendar months thereafter until fully paid. Each such installment shall be paid by means of a certified check payable to the State of New Jersey and submitted to the Board.

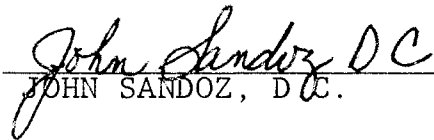
3. Dr. Sandoz shall cease and desist from distributing the subject brochure, a copy of which is attached hereto and made a part hereof, or any advertisement or publication which

is substantially equivalent thereto.

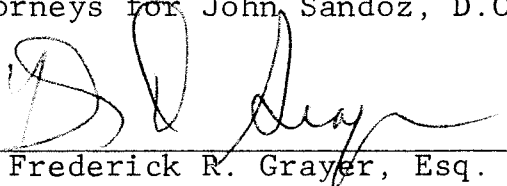


EDWIN H. ALBANO, M.D.
President
Board of Medical Examiners

Consented to as to form
and entry:


JOHN SANDOZ, D.C.

KENT, GRAYER & ROSENBERG
Attorneys for John Sandoz, D.C.

By: 
Frederick R. Grayer, Esq.



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF LAW
PROFESSIONAL BOARDS SECTION

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IRWIN I. KIMMELMAN
ATTORNEY GENERAL

MICHAEL R. COLE
ASSISTANT ATTORNEY GENERAL
DIRECTOR

DOUGLAS J. HARPER
DEPUTY ATTORNEY GENERAL
SECTION CHIEF

December 13, 1983

Charles A. Janousek, Executive Secretary
Board of Medical Examiners
28 W. State St.
Trenton, N.J. 08625

Re: IN THE MATTER OF JOHN SANDOZ, D.C.

Dear Mr. Janousek:

I believe that inadvertently the enclosed exhibit, a copy of the brochure in question in the above-referenced matter, was not attached to the Final Order which was filed. Would you please attach the enclosed exhibit to the file copy of the Order?

With a copy of this letter, I am forwarding a copy of the exhibit to Frederick R. Grayer, counsel for Dr. Sandoz.

Thank you.

Very truly yours,

IRWIN I. KIMMELMAN
ATTORNEY GENERAL OF NEW JERSEY

By: Michael S. Karpoff
Michael S. Karpoff
Deputy Attorney General

MSK:eb
Encl.

cc: Frederick R. Grayer, Esq.

WHAT IS CHIROPRACTIC?

Exhibit 1 24
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Webster's New Collegiate Dictionary defines chiropractic as, "A system of healing which holds that disease results from a lack of normal nerve function and which employs manipulation and specific adjustments of body structures (the spinal column)."

Chiropractic is the largest drugless healing profession in the world.

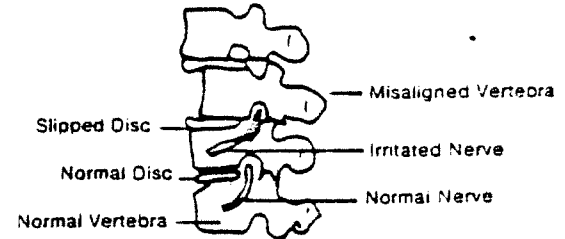
Chiropractic is classified as one of the four major healing professions along with medicine, dentistry and osteopathy, by the Executive Office of the President of the United States, Bureau of the Budget, Washington, D.C.

The body's system of nerves has been compared to a modern telephone system. Just as complex cables leave a central office to serve thousands of telephones — nerves coming from the spine serve every tissue, organ and body part.

Much like a telephone cable, more than a quarter of a million (250,000 plus) nerve fibers pass through small openings between each vertebrae (back bone) on their way to all parts of the body.

These openings are formed by two vertebrae, and the slightest improper alignment or positioning of a vertebra can partially close one of these small openings and interfere with normal nerve function of the compressed nerve fibers — just as phone service is interrupted when there is trouble on the line. If this pressure or irritation to nerve fibers is not corrected, serious problems can result, not only severe pain, but also in disability in the parts of the body served by the compressed nerve fibers.

This condition is commonly known as a "pinched nerve".



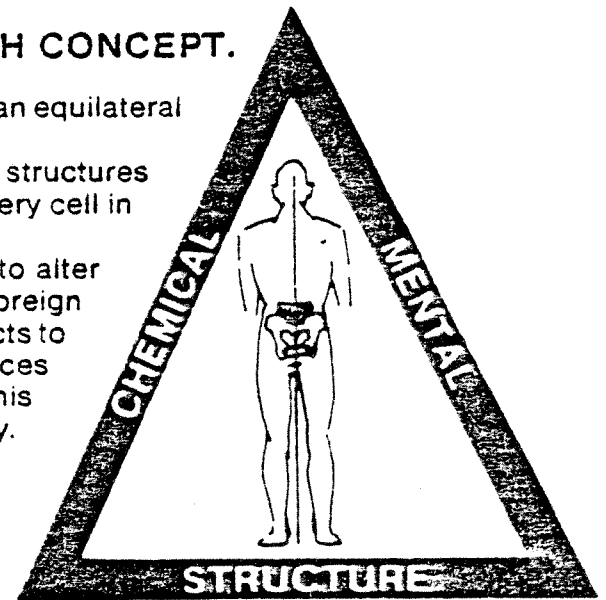
CHIROPRACTORS BELIEVE IN THE TOTAL HEALTH CONCEPT.

What is the *Total Health Concept*? It is most easily explained as an equilateral triangle involving your structural, chemical and mental make-up.

STRUCTURE — Adjustments or manipulation to align body structures releases the energy flow of the nervous system which controls every cell in our body, promoting balance — HEALTH.

CHEMICAL — Today more people feel that the use of drugs to alter body chemistry and treat disease is an insult to the body. The use of foreign substances to alter body chemistry can cause dangerous side effects to occur, like robbing Peter to pay Paul. Specific nutritional substances provide the body with the proper fuel and the building blocks. This takes advantage of the only healing power, which is your own body. Natural methods assist the body to full and permanent recovery which is HEALTH.

MENTAL — Removing stress through nutrition and correct nerve supply, can promote dramatic changes in your mental well-being — HEALTH.



WHEN SHOULD YOU GO TO A DOCTOR OF CHIROPRACTIC?

You should consult with a Doctor of Chiropractic if you experience any of the following:

PHYSICAL PAIN — Pain is nature's warning signal: the lack of pain does not necessarily mean good health.

ALL TYPES OF FATIGUE — Dizziness, lightheadedness, high blood pressure.

GASTRIC DISORDERS — Indigestion, heartburn, constipation.

RESPIRATORY PROBLEMS — Asthma, bronchitis and allergies.

CHILDHOOD PROBLEMS — Bedwetting, hyperkinesis, allergies, colic, croup, etc.

HEADACHES — Nervous tension, anxiety, migraine.

HEAD, NECK, BACK, ARM and LEG PROBLEMS — Arthritis, bursitis, neuritis, sciatica, and subluxations.

ATHLETIC INJURIES — Strains, sprains, tennis elbow, shoulder, knee, and foot problems.

FEMALE DISORDERS — Cramps and associated problems.

BLOOD SUGAR PROBLEMS — Diabetes or hypoglycemia.

CHIROPRACTIC OFFERS AN ALTERNATIVE - A COMPLETELY NATURAL APPROACH TO HEALTH.

WHAT DOES A CHIROPRACTOR DO?

1. **CONSULTATION** — In the pre-examination consultation, the doctor probes the patient's health history and present physical condition as his ethical standard requires that he treat only those patients he sincerely believes he can help.
2. **EXAMINATION** — During the first visit, a thorough examination is administered so that the doctor might learn all he can about the patient's present health. Doctors of Chiropractic are trained in the important aspects of examination and treatment. They must complete over 4,000 hours of classroom study prior to receiving a Doctor of Chiropractic Degree.
3. **X-RAY** — Chiropractors have been using X-Ray as a diagnostic assistant since 1910 when they deemed it necessary to obtain a complete understanding of a person's condition. With X-Ray, underlying pathology and structural misalignment can be visualized which might not otherwise be apparent.
4. **COMPLETION OF WORKUP** — Carefully evaluating the positive examination findings and the X-Ray films the doctor correlates this data with the patient's history and current complaints. The responsibility of revealing the full extent of the problem and determining the care necessary to correct the problem is an unseen activity of your doctor.
5. **REPORT OF FINDINGS** — The patient is thoroughly briefed on "the findings" — the extent of the problem, the probable cause, the potentiality of regaining health and the care required. In that Chiropractic care is unfamiliar to many new patients, communication skills are vital to insure the patient receives the greatest value of the care to be administered.
6. **TREATMENT** — The return of vertebrae and other bones to their proper position is called an adjustment. This is accomplished by positioning the patient on a specially designed and specifically constructed table and then making a gentle adjustment to allow the malaligned bones to return to their normal position. When deemed necessary physical therapy is administered to hasten the patient's recovery from their condition. Nutritional counseling is also available.

DOES INSURANCE COVER CHIROPRACTIC?

For more than 10 years our state has had an "Insurance Equality Law" —which means that any insurance policy that provided for payment of the cost of medical care must also provide equally for the payment of chiropractic care.

ACCIDENTS & INJURIES

All health and accident insurance policies, including trade union, group, association and automobile policies must compensate for Chiropractic care equally when provision is made for compensation of medical care.

ON-THE-JOB

Workers' compensation insurance, by state law, must be

carried by every employer to protect their employees when injured. Worker's compensation coverage for chiropractic care has been offered to our state's workers for on the job injuries for years. You can consult with a chiropractor for an industrial injury simply by requesting that right. The insurance carrier is bound by law to provide you with a Doctor of Chiropractic.

FEDERAL INSURANCE

Chiropractic services are covered under Medicare and Medicaid, and they have been covered since July 1, 1973. Federal employees are covered for chiropractic care for work-incurred injuries.

TAKE THIS SIMPLE TEST...

There are 12 major warning signals that you should not ignore. If you suffer from any of these warning signals, you should take steps to prevent possible advancing complications.

THE 12 MAJOR WARNING SIGNALS ARE:

- | | |
|--------------------------------|-------------------------------|
| 1. Recurring Headaches | 7. Faulty Posture |
| 2. Neck, Shoulder and Arm Pain | 8. Loss of Sleep |
| 3. Pain Between Shoulders | 9. Painful Joints |
| 4. Rib and Chest Pain | 10. Abdominal Pain |
| 5. Numbness in Arms and Hands | 11. Low Back and Leg Pain |
| 6. Tendon Pain | 12. Numbness in Legs and Feet |

Ignore these warning signals and you can expect future troubles. Some people ignore pain by masking it with medications. Others simply tell themselves, "I'll have to learn to live with it." The outcome is always the same — a slow deterioration which, in the end, will take its toll.

Every health problem has a cause — and the cause must be found and corrected — before you can get well. If you are experiencing any of the 12 warning signals, you should call 829-8194 for an appointment.

5

Do you know someone
using the five most
dangerous words???

MAYBE IT WILL
GO AWAY!!!

9 out of 10 Back Surgeries not Necessary or Effective

While the above headline would seem to come from a Doctor of Chiropractic, its actual source may surprise most people. It is a quote from Dr. C.N. Shealy, a medical doctor who is a neurosurgeon at PAIN REHABILITATION CENTER of the UNIVERSITY OF MINNESOTA.

In studying a number of the patients at the CENTER, Dr. Shealy found that nearly 70% were "repeaters" on lumbar disc surgery. According to the good doctor, if the patients fail to obtain relief from the first operation, the second and subsequent ones would also prove ineffective.

Of the 50,000 spinal operations performed in the United States each year, Dr. Shealy believes that only 1 in 10 can be justified. He contends that back surgery should only be used as a last resort after all other methods have failed.

I agree. I am not opposed to "radical solutions" when all "conservative solutions" have proven ineffective; however, an effective response must begin when we get those "early warning" signs that trouble is brewing. Unfortunately, many Americans don't heed those warning signals. They allow the intervertebral disc to continue to degenerate even after it has said, "OUCH."

The most dismaying aspect of many patients who come to our office for health care is the extent of the problem — a problem that has become serious because of neglect.

If you have experienced health problems, don't wait for them to become irreparable. Remember, the FIVE MOST DANGEROUS WORDS are, "MAYBE IT WILL GO AWAY!"

**Musculo-Skeletal Injuries . . .
The Special Province
of the Chiropractor!**

Call 829-8194

to have your questions about the benefits
of Chiropractic care answered!



DR. JOHN E. SANDOZ

Dr. John Sandoz became involved in Chiropractic as — so many Chiropractors do — through a personal experience. Athletics were an all consuming interest during his boyhood and young manhood in New Jersey. Baseball, football and basketball blended together through these years, and John pursued his first love of baseball, as a shortstop, at Temple University in Philadelphia, PA. John's dream of a professional baseball career was on the verge of becoming a reality as offers from the Philadelphia Phillies, Pittsburgh Pirates, Baltimore Orioles and many other teams actively pursued the college all-star. Unfortunately, a shoulder separation that was being scheduled for surgery, finally sent young John into the office of Chiropractic. Surgery was never needed for the shoulder, and the results of the care so impressed the young Sandoz, that he immediately began preparation for a Chiropractic career and what became a loss to sports was a gain for Chiropractic.

Upon graduation from the prestigious Sherman Chiropractic College in South Carolina, Dr. John Sandoz established his practice in Cinnaminson, New Jersey. Post-graduate work in Applied Kinesiology, Sacro-Occipital Technique, Activator, Chiro-Manis, and intensive training in Sports Rehabilitative Therapy have brought John the public recognition his patient results deserve.

Active within the profession, Dr. Sandoz is a member of the American Chiropractic Association, The New Jersey State Chiropractic Society, and The Southern New Jersey Association. John is known by Chiropractors throughout the world and the United States, for his work and commitment to the Chiropractic Profession.

Speaking at a recent national symposium, Dr. Sandoz was quoted, "The future of Chiropractic? . . . Unlimited — we are on the threshold as the public increasingly accepts the concept of drugless health care. An ever increasing percentage of the American public are regaining and maintaining their health through the natural means of Chiropractic care. We have just scratched the surface of Chiropractic's potential. All that remains is to communicate that awareness to the general public. By 1985 one-half of the American public will be regaining and maintaining their health with Chiropractic care."

Bulk Rate
U.S. Postage
PAID
Permit No. 240
Cinnaminson, NJ

DR. JOHN E. SANDOZ
CHIROPRACTIC PHYSICIAN
Family Practice
Sports Rehabilitation
Applied Kinesiology
1104 ROUTE 130
CINNAMINSON, NJ 08077

- WHY CALL
DR. SANDOZ?**
- 829-8194**
- YOU AND YOUR FAMILY CAN RECEIVE "STATE OF THE ART"
CHIROPRACTIC CARE FEATURING:**
1. Advanced Technological Physical Therapy
 2. Rehabilitation of Sports Injuries
 3. Nutritional Counseling
 4. Applied Kinesiology
 5. Specialized Pediatric Techniques
 6. Exercise & Fitness Programs
 7. Traction Therapy ("slipped disc")
 8. Scolioses Treatment

Compare Education Requirements:

MEDICAL Class Hours (Minimum)	SUBJECT	CHIROPRACTIC Class Hours (Minimum)
508.....	Anatomy.....	520
326.....	Physiology.....	420
401.....	Pathology.....	420
325.....	Chemistry.....	300
114.....	Bacteriology.....	130
324.....	Diagnosis.....	420
112.....	Neurology.....	320
148.....	X-ray.....	217
144.....	Psychiatry.....	65
198.....	Obstetrics & Gynecology.....	65
156.....	Orthopedics.....	225
2,756.....	TOTAL HOURS.....	2,887

Other required subjects for the Doctor of Chiropractic:
Adjusting, Manipulation, Kinesiology, Nutrition,
& other similar basic subjects related to his specialty.

Other required subjects for the Doctor of Medicine:
Pharmacology, Immunology, General Surgery,
& other similar basic subjects related to his specialty.

GRAND TOTAL CLASS HOURS
4,248.....(Including other basic subjects).....4,485
MEDICAL CHIROPRACTIC

The above class hours were compiled following a review of the curriculum catalogues of 22 medical schools and 11 chiropractic colleges, and updated from the National Health Federation bulletin and other publications statistics.

Today, at least six years of highly specialized college training are required to graduate, pass an extensive three day

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

MINUTES - MATTERS PENDING LITIGATION & DISCIPLINARY ACTION - OCTOBER 12, 1983

OLD BUSINESS - Continued.

6. RIZACK, Lea, C.N.M., License #1182 - Continued

During Board discussion, the Board was advised of Ms. Rizack's prior conduct which caused the Board to take action against her license prior to the current matter. Additional discussion centered on whether or not Ms. Rizack did, in fact, have a contractual agreement in January, 1982 with a licensed physician who would provide consultation and back up for patients who did not elect to have their own physicians provide back-up service. Correspondence from Linda Irene-Greene, counsel for Ms. Rizack, represents that Barry Riesman, M.D., had contracted with Ms. Rizack in January, 1982 to provide such consultation and back up.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO TABLE FINALIZATION OF THIS MATTER PENDING RECEIPT OF A SWORN STATEMENT FROM DR. RIESMAN, INDICATING WHETHER OR NOT HE HAD CONTRACTED WITH MS. RIZACK IN JANUARY, 1982 TO PROVIDE CONSULTATION AND BACK UP FOR MS. RIZACK'S PATIENTS.

Dr. Solomon was not present for vote.

7. ARLEIN, Myron S., D.V.M. (Without Appearance)
GELBER, Joan D., D.A.G., for the State

The Board received for consideration a proposed Consent Order in the matter of Dr. Arlein, along with Dr. Arlein's statement in mitigation of penalty. Dr. Arlein is alleged to have issued six prescriptions, for the use of a human patient, five of which were for Controlled Dangerous Substances, when in fact, Dr. Arlein is a Veterinarian.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO APPROVE THE PROPOSED FINAL ORDER, REJECTING DR. ARLEIN'S REQUEST TO MODIFY IT BASED UPON HIS LETTER OF MITIGATION.

Dr. Solomon was not present for vote.

8. SANDOZ, John E., D.C., License #1987 (Without Appearance)
KARPOFF, Michael S., D.A.G., for the State

Dr. Sandoz had appeared before a prior Executive Committee relative to allegations of misleading advertising by means of a direct mail brochure. The Executive Committee, after Dr. Sandoz's appearance and after review of the brochure, recommended that the matter be settled with the assessment of a cease and desist order, a reprimand and a monetary penalty of \$2,500. Request has been made by Dr. Sandoz that the monetary penalty be reduced from \$2,500 to \$1,500.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO REJECT DR. SANDOZ'S COUNTEROFFER, BUT DID INDICATE THAT THEY WOULD ALLOW DR. SANDOZ TO PAY THE \$2,500 MONETARY PENALTY IN INSTALLMENTS OVER A PERIOD OF SIX MONTHS.

Dr. Solomon was not present for vote.

1 5. These restrictions on Dr. Scarpello's license
2 shall continue for the period of one year.

3 JOHN SANDOZ, D.C.

4 Dr. Sandoz appeared before the Committee to discuss
5 a brochure regarding his practice in chiropractic, which
6 had been mailed to residents in certain South Jersey
7 communities. Dr. Sandoz stated that he had sent 12,000 of
8 these brochures out, but soon after had received severe
9 criticism from his colleagues regarding the brochures and
10 stopped the mailings. He said he has 18,000 more brochures
11 which will not be mailed.

12 Dr. Sandoz stated that he had obtained the idea for
13 and much of the material contained in the brochures from
14 the Professional Development Corporation, a marketing and
15 management firm which conducts seminars for chiropractors
16 to aid them in building their practices. This particular
17 brochure was presented at a seminar in Washington, D.C.
18 He noted that Professional Development Corporation is not
19 affiliated with or endorsed by any chiropractic professional
20 organization. He paid \$1,800 to enroll as a client for the
21 first six months, after which time he pays per seminar.
22 The Committee reviewed the brochure with Dr. Sandoz and
23 noted several misstatements, inaccurate statements, and
24 exaggerations. For example, the brochure implies that
25 Dr. Sandoz treats gastric disorders, blood sugar problems,

RATIFIED: September 14, 1983

1 and female disorders. Dr. Sandoz claimed that he had
2 listed these types of disorders as examples^{of} situations where
3 a chiropractor might be helpful and did not intend to imply
4 that he treated these problems directly. In addition,
5 the brochure claims that nine out of ten back surgeries are
6 not necessary or effective, which Dr. Sandoz tried to
7 explain as a quotation of another doctor. However, he said
8 that although he does not agree with that specific
9 statement, he does believe that many times back surgeries
10 are not necessary. He also stated that he is known
11 throughout the world, which he admitted was an exaggeration,
12 particularly in light of the fact that he has been in
13 practice for only three years. Finally, the brochure
14 also claims that he has South Jersey's finest equipped
15 chiropractic facility, but he admitted that that may have
16 been an over statement.

17 The Committee believes that the brochure is very
18 misleading and deceptive and, therefore, recommends that
19 the matter be referred to the Division of Law for appro-
20 priate action. For settlement purposes, the Committee
21 recommends that Dr. Sandoz be ordered to cease and desist
22 the use of this brochure or any other deceptive or
23 misleading advertisement, that he accept a reprimand, and
24 that he pay a penalty of \$2,500.

25 RATIFIED: September 14, 1983